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February 11, 2022

VIA ECF

Hon. Tonianne J. Bongiovanni, U.S.M.J.
Clarkson S. Fisher Federal Building
and U.S. Courthouse
402 E. State Street
Trenton, New Jersey 08608

Re: *UMG Recordings, Inc. et al. v. RCN Telecom Services, LLC et al.*
Civil Action No. 19-17272 (MAS) (TJB)

Dear Judge Bongiovanni:

We represent Plaintiffs and Counterclaim-Defendant Recording Industry Association of America, Inc. (“RIAA”) in this action. We submit this letter on behalf of all parties to request a 60 day extension of the deadline for the close of fact discovery (from March 30, 2022 to May 27, 2022).

The Court previously extended this deadline in its orders dated June 27, 2021, October 26, 2021, and November 24, 2021. *See* ECF Nos. 163, 185 and 192. Since the most recent extension, the parties have worked diligently to address the document discovery issues they previously identified to the Court, including issues related to privilege logs, supplementing written discovery responses, and completing productions of responsive documents and data. The parties were unable to resolve all of the discovery disputes, despite their good faith efforts to do so during the meet and confer process. Accordingly, on December 30, 2021, Plaintiffs and Defendants filed letters pursuant to Local Civil Rule 37.1(a)(1). *See* ECF Nos. 195 – 200. Your Honor’s resolution of the issues raised in these letters will affect the scope of any remaining written discovery to be completed, which in turn impacts the scheduling of depositions. Thus, good cause exists for the requested extension.

Further, the requested extension will not affect any other dates in this action, as there are no deadlines set by the Court beyond the close of fact discovery.

McElroy Deutsch

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Accordingly, the parties respectfully request that the Court grant the requested extension described above. We have included a proposed “So Ordered” line at the end of this letter in the hope that this proposal is acceptable to the Court.

Respectfully submitted,

McELROY, DEUTSCH, MULVANEY & CARPENTER, LLP

s/ Thomas R. Curtin

THOMAS R. CURTIN

cc: All counsel (via ECF and e-mail)

SO ORDERED this _____ day of February, 2022.

HON. TONIANNE J. BONGIOVANNI
United States Magistrate Judge